

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
PORTLAND DIVISION**

**LEONARD J. SALANITRO,**

Plaintiff,

v.

**WASHINGTON COUNTY**, an Oregon  
municipality, **JAMES WHEATON**, an individual,  
and **PATRICK ALTIERE**, an individual,

Defendants.

Case No. **3:11-cv-01051-SI**

**VERDICT**

We, the jury, being first duly empaneled and sworn, do find as follows:

**I. FEDERAL CLAIMS**

**CLAIM ONE – UNCONSTITUTIONAL USE OF FORCE**

1. Did Patrick Altieri violate the constitutional rights of the plaintiff as alleged in  
Claim One?

YES \_\_\_\_\_

NO       /      

*If your answer to Question No. 1 is "yes," proceed to Question No. 2. If your answer to Question No. 1 is "no," your verdict is for defendant Altieri on Claim One, and you should proceed directly to Question No. 3.*

2. What are the plaintiff's actual damages, if any, caused by the violation alleged in Claim One?

Non-Economic Damages: \$ N/A (Line A)

*If you find that the plaintiff sustained no actual damages on Claim One, you must award nominal damages of no more than \$1.00.*

Nominal Damages: \$ N/A (Line B)

### CLAIM TWO - UNCONSTITUTIONAL CUSTODY

3. Did defendant **Wheaton** cause the plaintiff to be subjected to custody in violation of his constitutional rights?

YES \_\_\_\_\_ NO ✓

4. Did defendant **Altieri** cause the plaintiff to be subjected to custody in violation of his constitutional rights?

YES \_\_\_\_\_ NO ✓

*If your answer to either Question No. 3 or Question No. 4 is "yes," proceed to Question No. 5. If your answers to both Question No. 3 and Question No. 4 are "no," skip Question No. 5, as your verdict is for defendants Altieri and Wheaton on Claim Two.*

5. What are the plaintiff's actual damages, if any, caused by his having been unconstitutionally subjected to custody?

Non-Economic Damages: \$ N/A (Line C)

*If you find that the plaintiff sustained no actual damages on Claim Two, you must award nominal damages of no more than \$1.00.*

Nominal Damages: \$ N/A (Line D)

**PUNITIVE DAMAGES**

For the plaintiff's federal claims only, you may – but are not required to – award the plaintiff punitive damages against either defendant Altieri or defendant Wheaton if you have found such defendant liable for non-economic damages or nominal damages.

*If you answered "yes" to any of questions 1, 3, or 4, answer Question No. 6. If you answered "no" to each of Question Nos. 1, 3, and 4, do not answer Question No. 6 and proceed directly to Question No. 7.*

6. Do you award punitive damages to the plaintiff and, if so, in what amount(s) and against whom? Place an "X" next to your answer and complete the blank to state your finding(s), if applicable.

Defendant Altieri: \_\_\_\_\_ YES, \$ N/A X NO (Line E)

Defendant Wheaton: \_\_\_\_\_ YES, \$ N/A X NO (Line F)

**II. STATE CLAIMS****CLAIM THREE - BATTERY**

7. Did defendant Washington County commit a battery upon the plaintiff?

YES \_\_\_\_\_ NO ✓

*If your answer to Question No. 7 is "yes," proceed to Question No. 8. If your answer to Question No. 7 is "no," your verdict is for defendant Washington County on Claim Three, and you should proceed directly to Question No. 9.*

8. What are the plaintiff's actual damages, if any, caused by battery? You may not award nominal or punitive damages on this claim.

Non-Economic Damages: \$ N/A (Line G)

**CLAIM FOUR - FALSE IMPRISONMENT**

Washington County admits that it falsely imprisoned the plaintiff for the period beginning 48 hours after the time he was shot and ending at the time he was released from restraints on his freedom at the hospital. The plaintiff claims that he was falsely imprisoned for the entire time from being shot to being released from restraints at the hospital.

9. Did defendant Washington County falsely imprison the plaintiff for the 48-hour period immediately following the time he was shot in addition to the period he was held in custody thereafter?

YES



NO

10. What are the plaintiff's actual damages, if any, caused by false imprisonment?

You may not award nominal or punitive damages on this claim.

Non-Economic Damages: \$ 50,000 (Line H)

**III. TOTAL DAMAGES**

*You have finished rendering your verdict. Before the Presiding Juror signs and dates this form, please total the damages you have awarded to the plaintiff in this case. If you did not award damages for a given claim, please enter a "0" on the appropriate line.*

Line A: 0Line B: 0Line C: 0Line D: 0Line E: 0Line F: 0Line G: 0Line H: \$ 50,000

Total damages awarded to the plaintiff: \$50,000 (total of Lines A-H)

The Presiding Juror should date and sign this form.

DATED: 2/28, 2013.

\_\_\_\_\_  
Presiding Juror